

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**Melvin Hodge**

*Plaintiff,*

vs.

**9:02-cv-1228(FJS/DRH)**

**Todd Knight; N/I. Edgar; M. Nitschke;  
M. Leone; D. Mitchell; F.H. Stark; C.  
Armstrong; S. Stis**

*Defendants.*

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**ORDER DISMISSING CASE**

No activity has occurred in this case since May 22, 2007 when the Court issued an order denying a letter request by the plaintiff for an extension of time to file a response to a pending motion further advising the plaintiff that he may supplement his response, if he retains counsel, at a later time. Since then, no motion response has been filed and there has been no further activity in the case.

On August 27, 2007 a notice was sent to all parties in this action that a dismissal calendar call would be held on September 28, 2007, allowing any opposition to the dismissal to be filed by September 21, 2007. No opposition papers were filed.

On September 28, 2007 no parties to this action entered an appearance.

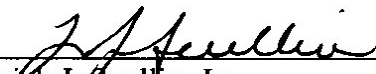
Given the time that has lapsed without further prosecution and no opposition to the dismissal, there appears to be no reason for this case to remain pending on the Court docket. Therefore, it is hereby

**ORDERED** that this case is dismissed for failure to prosecute and further it is

**ORDERED** that the Clerk of the Court shall close this case.

**IT IS SO ORDERED.**

October 12, 2007

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge

